

Minnesota House of Representatives



Minnesota State Senate

Date: October 28, 2016
To: Hennepin County Sheriff Richard Stanek
From: Minnesota State Legislators

Dear Sheriff Stanek:

We are writing to express our serious concerns and strong objections to the deployment of Special Operations personnel and equipment from the Hennepin County Sheriff's office to Cannon Ball, North Dakota. The use of Hennepin County tax-payer funded resources for the purpose of impeding expression of constitutional rights to free speech and peaceful protest in a neighboring state on ancestral tribal land of the Standing Rock Reservation Lakota people is grossly inappropriate, and we request that you order Hennepin County personnel and equipment to return to Minnesota immediately.

Our request is grounded in the following areas of concern:

1. The deployment of Hennepin personnel and equipment to North Dakota is grossly inappropriate.

In a statement dated October 23 your office asserts that Special Operations personnel and equipment were "approved by the state of Minnesota." It is our understanding that the decision to send personnel and equipment was yours alone. The state's role is to follow Federal protocol to pass through resources for reimbursement under the provisions of the Emergency Management Assistance Compact (EMAC). Minnesota public safety resources have been used in the past to assist law enforcement in other states in the wake of large scale natural disasters and in the case of 9/11--an unprecedented national crisis and terrorist attack. A peaceful and legitimate protest on a controversial local issue in a neighboring state does not appear to us as a proper use of Hennepin County public taxpayer funded resources.

2. The deployment was made without consultation with local elected officials.

Construction of the Dakota Access Pipeline is a controversial policy involving major environmental and sovereign treaty rights issues, and as such we believe consultation with local elected officials and Indigenous leaders would have been appropriate under the circumstances. Hennepin County is home to one of the largest concentrated urban Indigenous communities in the United States. The insertion of local law enforcement in a North Dakota issue involving protection of the Standing Rock Reservation Lakota people's sovereign rights established in the Fort Laramie treaties of 1851 and 1868, plus the peaceful expression of the constitutional right to

protest, sends the wrong message to our Indigenous constituents and to others who have deep felt concerns about these issues. In fact, the city of Minneapolis has passed a resolution in support of the demands of the protestors as a reflection of the seriousness of these issues in our community. The State of North Dakota and its governor have taken official positions on one side of a very contentious situation. This deployment of resources from Minnesota effectively puts Minnesota citizens and tax payers in the position of supporting one side over the other. That is not your decision to make unilaterally.

3. Media reports and eyewitnesses contradict one of the stated purposes of the deployment.

We are extremely concerned about media reports which surfaced on October 27 indicating that Hennepin County personnel were involved in the arrest of an Indigenous elder. Furthermore, the report stated that Hennepin officials used force on a member of the media. These actions appear to contradict your October 23 communication stating that one of the purposes of the deployment was to "protect the constitutional rights of protestors." We request that you investigate these allegations, and report to us specific activities of Hennepin personnel in Cannon Ball since the deployment, including the number of personnel in the operation, the types of equipment utilized, and the specific costs and items you will be reimbursed for.

4. Other public entities either refused North Dakota's request, or have withdrawn their personnel.

It is our understanding that the State of Minnesota and other Minnesota counties were also asked by the State of North Dakota to deploy personnel and refused the request. We support the decision of the Dane County Wisconsin Sheriff David Mahoney who appropriately stated, "Law enforcement needs to recognize their authority stems from the communities they serve. Our priorities should mirror the priorities of our community." We believe Sheriff Mahoney's statement referencing his action to withdraw Dane County personnel is an accurate reflection of the role of law enforcement.

Given our deep and serious concerns, we request a meeting as elected officials, many of whom serve constituents in your jurisdiction, to discuss the issues raised in this letter. Given the urgent and timely nature of our request, we can be available on very short notice to meet with you, preferably this weekend, but request that such a meeting take place no later than Monday, October 31.

Thank you for your consideration.

Sincerely,

Representative Karen Clark, 62A
Representative Frank Hornstein, 61A
Representative Susan Allen, 62B
Representative Peggy Flanagan, 46A
Representative Jean Wagenius, 63B
Representative Raymond Dehn, 59B
Representative Mike Freiberg, 45B
Representative Alice Hausman, 66A

Representative Peter Fischer, 43A
Representative Tina Liebling, 26A
Representative Carlos Mariani, 65B
Representative David Bly, 20B
Representative Diane Loeffler, 60A
Representative Leon Lillie, 43B
Senator Scott Dibble, 61
Senator Patricia Torres Ray, 63